

REMARKS

Claims 1-22 are pending.

Claim 8 has been amended to correct its antecedent basis. No new matter is added by this amendment.

The Brief Description of the Drawings has been amended to recite the fragments of AAV-1, AAV-2 and AAV-6 ITRs illustrated in Fig. 2 and Fig. 3B. No new matter is added by this amendment.

No new matter is provided by this amendment.

I. Election

Applicants have elected the subject matter of Group II, which is drawn to a Recombinant vector comprising a 5' AAV-1 ITR and a selected transgene. The examiner has indicated that claims 3-6, 9-11 and 17-22 are within this group. Applicants request claim 8 be included in this group in view of the amendment thereof.

The examiner indicates that inventions II and III are related as product and process of use. Applicants reserve the right to request rejoinder of these groups.

Applicants have also provisionally elected the subject matter of AAV-1 vp1 (SEQ ID NO:13).

II. Compliance with Requirements for Patent Applications Containing Nucleotide Sequence Disclosures

The Brief Description of the Drawings has been amended to recite the fragments of AAV-1, AAV-2 and AAV-6 ITRs illustrated in Fig. 2 and Fig. 3B. No new matter is added by this amendment.

The sequences of AAV-1 are provided in SEQ ID NO:1, the sequences of AAV-2 are provided in SEQ ID NO:18 and the sequences of AAV-6 are provided in SEQ ID NO:19. Accordingly, only the nucleotide numbers of the fragments appearing in Fig. 2 and Fig. 3B need to be included in the brief description of the drawings.

No new matter is added by this amendment.

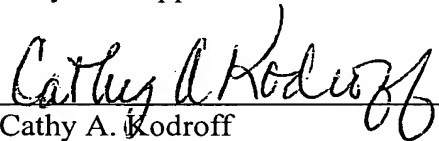
Applicants respectfully request reconsideration and withdrawal of this amendment.

The Director of the US Patent and Trademark Office is hereby authorized to charge any fee due to Deposit Account 08-3040.

Respectfully submitted,

HOWSON AND HOWSON
Attorneys for Applicants

By



Cathy A. Rodroff
Registration No. 33,980
Spring House Corporate Center
Box 457
Spring House, PA 19477
Phone: (215) 540-9210
Fax: (215) 540-5818